

NO
LegOLL 85-1549/1
10 June 1985MEMORANDUM FOR: AA/OSD/OGC
DC/ALD/OGC
DC/ICAD/OGC

FROM:




SUBJECT: Request for Comments: H.R. 2361

1. Attached is a letter from Representative Rodino, Chairman of the House Judiciary Committee to the Director. The letter requests the Agency's views on H.R. 2361, a bill to amend the Immigration and Nationality Act with respect to the exclusion and deportation of aliens. The bill is also attached.

2. I would appreciate receiving your views on the matter by 12 June 1985. This will permit us to prepare an appropriate response.

3. Thank you for your cooperation.


Legislation Division
Office of Legislative LiaisonAttachments
as stated

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COMMITTEE ON THE JUDICIARY
U.S. House of Representatives
Washington, D.C. 20515
May 28, 1985

LEGISLATIVE LIAISON

85-1549

Re: H.R. 2361, to amend the Immigration and
Nationality Act with respect to the
grounds for exclusion and deportation
of aliens

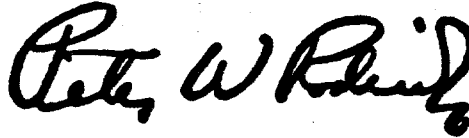
Honorable William J. Casey
Director
Central Intelligence Agency
Washington, D.C.

Dear Sir:

Enclosed herewith are copies of the captioned
bill pending before this Committee.

I shall appreciate your furnishing the Committee
with an expression of your views on the proposed legislation.

Sincerely yours,



PETER W. RODINO, JR.
Chairman

cc: Office of Management and Budget
Legislative Reference Division
Room 7201, NEOB
Washington, D.C. 20503



99TH CONGRESS
1ST SESSION

H. R. 2361

To amend the Immigration and Nationality Act with respect to the grounds for exclusion and deportation of aliens.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1985

Mr. FRANK (for himself, Mr. DOWNEY of New York, Mr. DIXON, Mr. BEILEN-
SON, Mr. FAUNTROY, Mr. DYNALLY, Mr. EDWARDS of California, Mr.
STARK, Mr. FAZIO, Mr. KASTENMEIER, Mr. DELLUMS, Mr. MOAKLEY,
Mrs. BURTON of California, Mr. HOYER, and Mr. GARCIA) introduced the fol-
lowing bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act with respect to
the grounds for exclusion and deportation of aliens.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE; REFERENCES IN ACT.

4 (a) SHORT TITLE.—This Act may be cited as the “Im-
5 migration Exclusion and Deportation Amendments of 1985”.

6 (b) AMENDMENTS TO IMMIGRATION AND NATIONAL-
7 ITY ACT.—Except as otherwise specifically provided, when-
8 ever in this Act an amendment or repeal is expressed as an
9 amendment to, or repeal of, a provision, the reference shall

1 be deemed to be made to the Immigration and Nationality
2 Act.

3 **SEC. 2. REVISION OF GROUNDS FOR EXCLUSION.**

4 (a) **REVISED GROUNDS FOR EXCLUSION.**—Subsection
5 (a) of section 212 (8 U.S.C. 1182) is amended to read as
6 follows:

7 “(a) **CLASSES OF EXCLUDABLE ALIENS.**—Except as
8 otherwise provided in this Act, the following describes classes
9 of excludable aliens who are ineligible to receive visas and
10 who shall be excluded from admission into the United States:

11 “(1) **HEALTH-RELATED GROUNDS.**—(A) Any
12 alien who has a communicable disease of public health
13 significance is excludable.

14 “(B) Any alien who has a history or record of be-
15 havior, or manifestation of mental impairment, that
16 poses a threat to property or to the safety or welfare of
17 others or to the alien is excludable.

18 “(2) **CRIMINAL AND MORAL GROUNDS.**—(A)(i)
19 Except as provided in clause (ii), any alien convicted of
20 a crime involving moral turpitude (other than a purely
21 political offense) is excludable.

22 “(ii) Clause (i) shall not apply to an alien who
23 committed only one crime if—

24 “(I) the crime was committed when the alien
25 was under 18 years of age, and the crime was

1 committed (and the alien released from any con-
2 finement to a prison or correctional institution im-
3 posed for the crime) more than five years before
4 the date of application for a visa or other docu-
5 mentation and the date of application for admis-
6 sion to the United States, or

7 "(II) the sentence actually imposed for the
8 crime did not exceed a term of imprisonment in
9 excess of six months.

10 "(B) Any alien convicted of two or more offenses
11 (other than purely political offenses), regardless of
12 whether the conviction was in a single trial or whether
13 the offenses arose from a single scheme of misconduct
14 and regardless of whether the offenses involved moral
15 turpitude, for which the aggregate sentences to con-
16 finement actually imposed were five years or more is
17 excludable.

18 "(C)(i) Any alien convicted of a violation of (or a
19 conspiracy to violate) any law or regulation relating to
20 narcotic drugs, controlled substances, or psychotropic
21 substances, other than a single offense involving pos-
22 session for one's own use of 30 grams or less of mari-
23 huana, is excludable and any alien who the consular or
24 immigration officer knows or has reason to believe is
25 or has been an illicit trafficker in narcotic drugs, con-

1 trolled substances, or psychotropic substances is ex-
2 cludable.

3 “(ii) Any alien who is a narcotic drug addict is
4 excludable.

5 “(D) Any alien who has engaged in a terrorist ac-
6 tivity (as defined in section 101(a)(43)) directed against
7 the United States or a citizen of the United States is
8 excludable.

9 “(E) Any alien who, during the period beginning
10 on March 23, 1933, and ending on May 8, 1945, under
11 the direction of, or in association with—

12 “(i) the Nazi government of Germany,

13 “(ii) any government in any area occupied by
14 the military forces of the Nazi government of
15 Germany,

16 “(iii) any government established with the
17 assistance or cooperation of the Nazi government
18 of Germany, or

19 “(iv) any government which was an ally of
20 the Nazi government of Germany,

21 ordered, incited, assisted, or otherwise participated in
22 the persecution of any person because of race, religion,
23 national origin, or political opinion is excludable.

24 “(3) SECURITY GROUNDS.—Any alien who a con-
25 sular officer or the Attorney General knows, or has

1 reasonable ground to believe, is likely to engage after
2 entry in—

3 “(A) any activity which is prohibited by the
4 laws of the United States relating to espionage or
5 sabotage,

6 “(B) any other criminal activity which en-
7 dangers public safety or national security,

8 “(C) any activity a purpose of which is the
9 opposition to, or the control or overthrow of, the
10 Government of the United States by force, vio-
11 lence, or other unconstitutional means, or

12 “(D) any terrorist activity,
13 is excludable.

14 “(4) ECONOMIC GROUNDS.—(A) Any alien who is
15 likely to become a public economic burden is exclud-
16 able.

17 “(B) Any alien who seeks to enter the United
18 States for the purpose of performing skilled or un-
19 skilled labor is excludable, unless the Secretary of
20 Labor has determined and certified to the Secretary of
21 State and the Attorney General that—

22 “(i) there are not sufficient workers who are
23 able, willing, qualified (or equally qualified in the
24 case of an alien described in subparagraph (E))
25 and available at the time of application for a visa

1 and admission to the United States and at the
2 place where the alien is to perform such skilled or
3 unskilled labor, and

4 “(ii) the employment of such alien will not
5 adversely affect the wages and working conditions
6 of workers in the United States similarly em-
7 ployed.

8 “(C) An alien who is a graduate of a medical
9 school not accredited by a body or bodies approved for
10 the purpose by the Secretary of Education (regardless
11 of whether such school of medicine is in the United
12 States) and who is coming to the United States princi-
13 pally to perform services as a member of the medical
14 profession is excludable, unless the alien (i) has passed
15 parts I and II of the National Board of Medical Exam-
16 iners Examination (or an equivalent examination as de-
17 termined by the Secretary of Health and Human Serv-
18 ices) and (ii) is competent in oral and written English.

19 “(D) The grounds for exclusion of aliens under
20 subparagraphs (B) and (C) of this paragraph shall only
21 apply to preference immigrant aliens described in para-
22 graph (3) or (6) of section 203(a) and to nonpreference
23 immigrant aliens described in section 203(a)(7).

24 “(E) For purposes of subparagraph (B)(i), an alien
25 described in this subparagraph is an alien who—

1 “(i) is a member of the teaching profession,

2 “(ii) who has exceptional ability in the sci-
3 ences or the arts, or

4 “(iii) who has a doctoral degree and is seek-
5 ing to enter the United States to be employed as
6 a researcher at a college, university, or other non-
7 profit educational or research institution).

8 “(5) ILLEGAL ENTRANTS AND IMMIGRATION VIO-
9 LATORS.—(A) Any alien who has been excluded from
10 admission and deported and who again seeks admission
11 within one year of the date of such deportation is ex-
12 cludable, unless prior to the alien's reembarkation at a
13 place outside the United States or attempt to be admit-
14 ted from foreign contiguous territory the Attorney
15 General has consented to the alien's reapplying for ad-
16 mission.

17 “(B) Any alien who—

18 “(i) has been arrested and deported,

19 “(ii) has fallen into distress and has been re-
20 moved pursuant to this or any prior Act,

21 “(iii) has been removed as an alien enemy, or

22 “(iv) has been removed at Government ex-
23 pense in lieu of deportation pursuant to section
24 242(b),

1 and who seeks admission within five years of the date
2 of such deportation or removal is excludable, unless
3 before the date of the alien's embarkation or reembar-
4 kation at a place outside the United States or attempt
5 to be admitted from foreign contiguous territory the
6 Attorney General has consented to the alien's applying
7 or reapplying for admission.

8 "(C) Any alien who seeks to procure (or has
9 sought to procure or has procured) a visa or other doc-
10 umentation, or seeks to enter the United States, by
11 fraud or by willfully misrepresenting a material fact is
12 excludable.

13 "(D) Any alien who is a stowaway is excludable.

14 "(E) Any alien who at any time knowingly has
15 encouraged, induced, assisted, abetted, or aided any
16 other alien to enter or to try to enter the United States
17 in violation of law is excludable.

18 "(F) Any alien (other than an alien born in the
19 Western Hemisphere or described in section
20 101(a)(27)(A)) who—

21 "(i) seeks admission from foreign contiguous
22 territory or adjacent islands, having arrived there
23 on a vessel or aircraft of a nonsignatory line, or if
24 signatory, a noncomplying transportation line
25 under section 238(a), and

1 “(ii) has not resided for at least two years
2 subsequent to such arrival in such territory or ad-
3 jacent islands,
4 is excludable.

5 “(6) DOCUMENTATION REQUIREMENTS.—(A)
6 Except as otherwise specifically provided in this Act,
7 any immigrant at the time of application for admis-
8 sion—

9 “(i) who is not in possession of a valid unex-
10 pired immigrant visa, reentry permit, border
11 crossing identification card, or other valid entry
12 document required by this Act, and a valid unex-
13 pired passport, or other suitable travel document,
14 or document of identity and nationality if such
15 document is required under the regulations issued
16 by the Attorney General under section 211(a), or

17 “(ii) whose visa has been issued without
18 compliance with the provisions of section 203,
19 is excludable.

20 “(B) Any nonimmigrant who—

21 “(i) is not in possession of a passport valid
22 for a minimum of six months from the date of the
23 expiration of the initial period of the alien's ad-
24 mission or contemplated initial period of stay au-
25 thorizing the alien to return to the country from

1 which the alien came or to proceed to and enter
2 some other country during such period, or

3 “(ii) is not in possession of a valid nonimmi-
4 grant visa or border crossing identification card at
5 the time of application for admission,
6 is excludable.

7 “(7) INELIGIBLE FOR CITIZENSHIP.—(A) Any
8 immigrant who is ineligible to citizenship is excludable.

9 “(B) Any person who has departed from or who
10 has remained outside the United States to avoid or
11 evade training or service in the armed forces in time of
12 war or a period declared by the President to be a na-
13 tional emergency is excludable, except that this sub-
14 paragraph shall not apply to an alien who at the time
15 of such departure was a nonimmigrant and who is
16 seeking to reenter the United States as a nonimmi-
17 grant.”.

18 (b) CONFORMING AMENDMENTS TO SECTION 212.—(1)
19 Subsection (b) of such section is repealed.

20 (2) Subsection (c) of such section is amended by striking
21 out “paragraph (1) through (25) and paragraphs (30) and (31)
22 of subsection (a)” and inserting in lieu thereof “subsection (a)
23 (other than paragraphs (3) and (6)(A))”.

24 (3) Subsection (d) of such section is amended—

25 (A) by striking out paragraphs (1), (2), and (10);

1 (B) by striking out "under one or more of the
2 paragraphs enumerated in subsection (a) (other than
3 paragraphs (27), (29), and (33))" in paragraph (3) and
4 inserting in lieu thereof "under subsection (a) (other
5 than paragraph (2)(D) or (3) of such subsection)" each
6 place it appears;

7 (C) by striking out "(26)" in paragraph (4) and in-
8 serting in lieu thereof "(6)(B)";

9 (D) by striking out "of this section, except para-
10 graphs (20), (21), and (26)," in paragraph (7) and in-
11 serting in lieu thereof "(other than paragraph (6))";

12 (E) by striking out "(26), (27), and (29)" in para-
13 graph (8) and inserting in lieu thereof "(3) and (6)(B)";
14 and

15 (F) by striking out "(7)" in paragraph (9) and in-
16 serting in lieu thereof "(4)(A)".

17 (4) Subsection (g) of such section is repealed.

18 (5) Subsection (h) of such section is amended by striking
19 out "paragraphs (9), (10)" and all that follows through
20 "paragraph (23)" and inserting in lieu thereof "paragraphs
21 (2)(A) and (2)(B) of subsection (a) or paragraph (2)(C)(i)".

22 (6) Subsection (k) of such section is amended by striking
23 out "(14), (20), or (21)" and inserting in lieu thereof "(4)(B)
24 or (6)(A)".

1 (7) Subsection (I) of such section is amended by striking
2 out "(26)(B)" and inserting in lieu thereof "(6)(B)(ii)".

3 (c) EFFECTIVE DATE.—The amendments made by this
4 section and by section 4(a) of this Act shall apply to individ-
5 uals entering the United States on or after the first day of the
6 first month beginning more than 60 days after the date of the
7 enactment of this Act.

8 SEC. 3. REVISION OF GROUNDS FOR DEPORTATION.

9 (a) REVISED GROUNDS FOR DEPORTATION.—Subsec-
10 tion (a) of section 241 (8 U.S.C. 1251) is amended to read as
11 follows:

12 "(a) CLASSES OF DEPORTABLE ALIENS.—Any alien
13 (including an alien crewman) in the United States shall, upon
14 the order of the Attorney General, be deported if the alien is
15 deportable as being within one or more of the following class-
16 es of aliens:

17 "(1) EXCLUDABLE AT TIME OF ENTRY OR VIO-
18 LATES STATUS.—(A) Any alien who at the time of
19 entry was within one or more of the classes of aliens
20 excludable by the law existing at such time is deport-
21 able.

22 "(B) Any alien who entered the United States
23 without inspection or at any time or place other than
24 as designated by the Attorney General or is in the

1 United States in violation of this Act or any other law
2 of the United States is deportable.

3 "(C) Any alien who has admitted as a nonimmi-
4 grant and who has failed to maintain the nonimmigrant
5 status in which the alien was admitted or to which it
6 was changed under section 248, or to comply with the
7 conditions of any such status is deportable.

8 "(D) Any alien (other than an alien born in the
9 Western Hemisphere or described in section
10 101(a)(27)(A)) who—

11 "(i) entered the United States from foreign
12 contiguous territory or adjacent islands, having
13 arrived there on a vessel or aircraft of a nonsigna-
14 tory line, or if signatory, a noncomplying trans-
15 portation line under section 238(a), and

16 "(ii) has not resided for at least two years
17 after to the arrival in the territory or adjacent is-
18 lands,
19 is deportable.

20 "(E) Any alien who (at the time of any entry or
21 within five years after the date of entry) knowingly and
22 for gain has encouraged, induced, assisted, abetted, or
23 aided any other alien to enter or to try to enter the
24 United States in violation of law is deportable.

25 "(2) CRIMINAL OFFENSES.—(A) Any alien who—

1 “(i) is convicted of a crime involving moral
2 turpitude committed within five years after the
3 date of entry, and

4 “(ii) either is sentenced to confinement or is
5 confined therefor in a prison or correctional insti-
6 tution for one year or longer,

7 is deportable.

8 “(B) Any alien who at any time after entry is
9 convicted of two or more crimes involving moral turpi-
10 tude, not arising out of a single scheme of criminal
11 misconduct, regardless of whether confined therefor
12 and regardless of whether the convictions were in a
13 single trial, is deportable.

14 “(C)(i) Any alien who at any time after entry has
15 been convicted of a violation of (or a conspiracy to vio-
16 late) any law or regulation relating to narcotic drugs,
17 controlled substances, or psychotropic substances, other
18 than a single offense involving possession for one's own
19 use of 30 grams or less of marihuana, is deportable.

20 “(ii) Any alien who is, or at any time after entry
21 has been, a narcotic drug addict is deportable.

22 “(D) Any alien who at any time after entry is
23 convicted under any law restricting the possession or
24 carrying of any weapon which shoots or is designed to
25 shoot automatically or semiautomatically more than

1 one shot without manual reloading, by a single function
2 of the trigger, or a weapon commonly called a sawed-
3 off shotgun, is deportable.

4 “(E) Any alien who at any time has been convict-
5 ed (the judgment on such conviction becoming final)
6 of—

7 “(i) any offense under chapter 37 (relating to
8 espionage), chapter 105 (relating to sabotage), or
9 chapter 115 (relating to treason and sedition) of
10 title 18, United States Code, for which a term of
11 imprisonment of five or more years may be im-
12 posed;

13 “(ii) any offense under section 871 or 960 of
14 title 18, United States Code;

15 “(iii) a violation of any provision of the Mili-
16 tary Selective Service Act (50 U.S.C. App. 451
17 et. seq.) or the Trading with the Enemy Act (50
18 U.S.C. App. 1 et. seq.); or

19 “(iv) a violation of section 215 or 278 of this
20 Act,
21 is deportable.

22 “(3) FAILURE TO REGISTER AND FALSIFICATION
23 OF DOCUMENTS.—(A) An alien who has failed to
24 comply with the provisions of section 265 is deport-
25 able, unless the alien establishes to the satisfaction of

1 the Attorney General that such failure was reasonably
2 excusable or was not willful.

3 “(B) Any alien who at any time has been con-
4 victed—

5 “(i) under section 260(c) of this Act or under
6 section 36(c) of the Alien Registration Act, 1940,

7 “(ii) of a violation of, or a conspiracy to vio-
8 late, any provision of the Foreign Agents Regis-
9 tration Act of 1938 (22 U.S.C. 611 et. seq.), or

10 “(iii) under section 1546 of title 18, United
11 States Code (relating to fraud and misuse of visas,
12 permits, and other entry documents),

13 is deportable.

14 “(4) SECURITY GROUNDS. Any alien who is en-
15 gaged or at any time after entry has engaged in—

16 “(A) any activity which is prohibited by the
17 laws of the United States relating to espionage or
18 sabotage,

19 “(B) any other criminal activity which en-
20 dangers public safety or national security,

21 “(C) any activity a purpose of which is the
22 opposition to, or the control or overthrow of, the
23 Government of the United States by force, vio-
24 lence, or other unconstitutional means, or

1 “(D) any terrorist activity (as defined in sec-
2 tion 101(a)(43)),
3 is deportable.

4 “(5) ECONOMIC GROUNDS.—Any alien who,
5 within five years after the date of entry, has become a
6 public economic burden from causes not affirmatively
7 shown to have arisen since entry is deportable.

8 “(6) ENGAGED IN TERRORIST ACTIVITY AGAINST
9 UNITED STATES.—Any alien who has engaged in a
10 terrorist activity directed against the United States or
11 a citizen of the United States is deportable.

12 “(7) ASSISTED IN NAZI PERSECUTION.—Any
13 alien who, during the period beginning on March 23,
14 1933, and ending on May 8, 1945, under the direction
15 of, or in association with—

16 “(A) the Nazi government of Germany,

17 “(B) any government in any area occupied
18 by the military forces of the Nazi government of
19 Germany,

20 “(C) any government established with the as-
21 sistance or cooperation of the Nazi government of
22 Germany, or

23 “(D) any government which was an ally of
24 the Nazi government of Germany,

1 ordered, incited, assisted, or otherwise participated in
2 the persecution of any person because of race, religion,
3 national origin, or political opinion is deportable.”.

4 (b) CONFORMING AMENDMENTS TO SECTION 241.—(1)
5 Subsection (b) of such section is amended—

6 (A) by striking out “subsection (a)(4)” and insert-
7 ing in lieu thereof “subparagraphs (A) and (B) of sub-
8 section (a)(2)”, and

9 (B) by striking out “(a)(11)” and inserting in lieu
10 thereof “(a)(2)(C)”.

11 (2) Subsection (c) of such section is amended by striking
12 out “(a)(2)” and inserting in lieu thereof “(a)(1)(B)”.

13 (3) Subsection (e) of such section is amended by striking
14 out “(a) (6) or (7)” and inserting in lieu thereof “(a)(4)”.

15 (4) Subsection (f) of such section is amended—

16 (A) by striking out “(a)(19)” in paragraph (1) and
17 inserting in lieu thereof “(a)(6) or (7)”,

18 (B) by striking out paragraph (2), and

19 (C) in paragraph (1)—

20 (i) by redesignating clauses (i) and (ii) of sub-
21 paragraph (A) as subparagraphs (A) and (B), re-
22 spectively,

23 (ii) by striking out “subparagraph (A)” and
24 “subparagraph (A)(ii)” in subparagraph (B) and

1 inserting in lieu thereof "paragraph (1)" and
2 "paragraph (1)(B)", respectively,

3 (iii) by redesignating subparagraphs (A) and
4 (B) as paragraphs (1) and (2), respectively, and

5 (iv) by striking out "(f)(1)(A)" and inserting
6 in lieu thereof "(f)(1)".

7 (c) SAVINGS PROVISION.—Notwithstanding the amend-
8 ments made by this section, any alien who was deportable
9 because of a conviction (before the date of the enactment of
10 this Act) of an offense referred to in paragraph (5), (17), or
11 (18) of section 241(a) of the Immigration and Nationality, as
12 in effect before the date of the enactment of this Act, shall be
13 considered to remain so deportable.

14 (d) EFFECTIVE DATE.—The amendments made by this
15 section, and by section 4(b) of this Act, shall not apply to
16 deportation proceedings for which notice has been provided
17 to the alien before the end of the 30-day period beginning on
18 the date of the enactment of this Act.

19 **SEC. 4. MISCELLANEOUS CONFORMING AMENDMENTS.**

20 (a) DEFINITION OF TERRORIST ACTIVITY.—Section
21 101(a) (8 U.S.C. 1101(a)) is amended by adding at the end
22 the following new paragraph:

23 "(43) The term 'terrorist activity' means organizing,
24 abetting, or participating in a wanton or indiscriminate act of
25 violence with extreme indifference to the risk of causing

1 death or serious bodily injury to individuals not taking part in
2 armed hostilities.”.

3 (b) RELATING TO GROUNDS FOR EXCLUSION.—(1)

4 Section 101(f)(3) (8 U.S.C. 1101(f)(3)) is amended—

5 (A) by striking out “paragraphs (11), (12), and
6 (31)” and inserting in lieu thereof “paragraph (5)(E)”,
7 and

8 (B) by striking out “paragraphs (9) and (10) of
9 section 212(a) and paragraph (23)” and inserting in
10 lieu thereof “subparagraphs (A) and (B) of section
11 212(a)(2) and subparagraph (C)”.

12 (2) Section 102 (8 U.S.C. 1102) is amended—

13 (A) by striking out “(27)” in paragraphs (1) and
14 (2) and inserting in lieu thereof “(3)”, and

15 (B) by striking out “paragraphs (27) and (29)” in
16 paragraph (3) and inserting in lieu thereof “paragraph
17 (3)”.

18 (3) Section 203(a)(7) (8 U.S.C. 1153(a)(7)) is amended
19 by striking out “section 212(a)(14)” and inserting in lieu
20 thereof “section 212(a)(4)(B)”.

21 (4) Sections 207(c)(3) and 209(c) (8 U.S.C. 1157(c)(3),
22 1159(c)) are each amended—

23 (A) by striking out “(14), (15), (20), (21), (25),
24 and (32)” and inserting in lieu thereof “(4) and (6)(A)”,
25 and

1 (B) by striking out "(other than paragraph" and
2 all that follows through "narcotics)" and inserting in
3 lieu thereof "(other than paragraphs (2)(C)(i), (2)(D), or
4 (3))".

5 (5) Section 211(b) (8 U.S.C. 1181(b)) is amended by
6 striking out "212(a)(20)" and inserting in lieu thereof
7 "212(a)(6)(A)".

8 (6) Section 213 (8 U.S.C. 1183) is amended—

9 (A) by striking out "(7) or (15)" and inserting in
10 lieu thereof "(4)(A)", and

11 (B) by striking out "public charge" and inserting
12 in lieu thereof "public economic burden" each place it
13 appears.

14 (7) Section 221(g) (8 U.S.C. 1201(g)) is amended by
15 striking out "212(a)(7), or section 212(a)(15)" and inserting
16 in lieu thereof "212(a)(4)(A)".

17 (8) Section 234 (8 U.S.C. 1224) is amended by striking
18 out "(1), (2), (3), (4), or (5)" and inserting in lieu thereof "(1)
19 or (2)(C)(ii)" each place it appears.

20 (9) Section 235(c) (8 U.S.C. 1225(c)) is amended by
21 striking out "(27), (28), or (29)" and inserting in lieu thereof
22 "(3)".

23 (10) Section 236(d) (8 U.S.C. 1226(d)) is amended—

24 (A) by striking out "is afflicted with a disease"
25 and all that follows through "of section 212(a)" and in-

1 serting in lieu thereof "has a disease or illness which
2 would make the alien excludable under paragraph (1)
3 or (2)(C)(ii) of section 212(a)", and

4 (B) by striking out the last sentence.

5 (11) Section 241(c) (8 U.S.C. 1251(c)) is amended by
6 striking out "paragraph (19)" and inserting in lieu thereof
7 "paragraph (5)(C)".

8 (12) Section 241(f)(1)(A)(ii) (8 U.S.C. 1251(f)(1)(A)(ii)) is
9 amended by striking "(14), (20), and (21)" in paragraph
10 (1)(A)(ii) and inserting in lieu thereof "(4)(B) and (6)(A)".

11 (13) Section 272 (8 U.S.C. 1322)—

12 (A) in subsection (a)—

13 (i) by striking out "(1) mentally retarded"
14 and all that follows through "(6) narcotic drug
15 addict" in subsection (a) and inserting in lieu
16 thereof "excludable under section 212(a)(1)", and

17 (ii) by striking out "such disease or disabil-
18 ity" in subsection (a) and inserting in lieu thereof
19 "the excluding condition";

20 (B) by striking out subsection (b);

21 (C) by redesignating subsections (c) through (e) as
22 subsections (b) through (d), respectively; and

23 (D) by striking out "DISABILITY OR AFFLICTED
24 WITH DISEASE" in the heading and inserting in lieu

1 thereof "EXCLUSION ON A HEALTH-RELATED
2 GROUND".

3 (14) Section 277 (8 U.S.C. 1327) is amended by striking
4 out "212(a)(27), (28), or (29)" and inserting in lieu thereof
5 "212(a)(3)".

6 (15) The item in the table of contents relating to section
7 272 is amended to read as follows:

"Sec. 272. Bringing in aliens subject to exclusion on a health-related ground."

8 (c) RELATING TO GROUNDS FOR DEPORTATION.—(1)
9 Subsections (b) and (e) of section 242 (8 U.S.C. 1252) and
10 section 244(e) (8 U.S.C. 1254(e)), and section 202(n)(1) of
11 the Social Security Act (42 U.S.C. 402(n)(1)) are each
12 amended by striking out "paragraph (4), (5), (6), (7), (11),
13 (12), (14), (15), (16), (17), (18), or (19)" and inserting in lieu
14 thereof "(2), (3), (4), (6), or (7)".

15 (2) Section 244(a) (8 U.S.C. 1254(a)) is amended—

16 (A) by striking out "241(a)(19)" and inserting in
17 lieu thereof "241(a)(6) or (7)", and

18 (B) by striking out "paragraph (4), (5), (6), (7),
19 (11), (12), (14), (15), (16), (17), or (18)" in paragraph
20 (2) and inserting in lieu thereof "(2), (3), (4), (6), or
21 (7)".

22 (3) Section 202(n) of the Social Security Act (42 U.S.C.
23 402(n)) is amended—

24 (A) by striking out "paragraph (1), (2), (4), (5),
25 (6), (7), (10), (11), (12), (14), (15), (16), (17), or (18) of

1 section 241(a)" in paragraph (1) and inserting in lieu
2 thereof "under section 241(a) (other than under para-
3 graph (1)(C) or (1)(E) thereof)", and

4 (B) by striking out "enumerated in paragraph (1)
5 in this subsection" in paragraph (2) and inserting in
6 lieu thereof "(other than under paragraph (1)(C) or
7 (1)(E) thereof)".

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